

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 99, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana code concerning local
- 3 government.
- 4 Page 2, line 1, delete "regional" and insert "**county**".
- 5 Page 2, line 2, delete "IC 13-26.5;" and insert "**IC 36-11;**".
- 6 Page 2, delete lines 4 through 42.
- 7 Delete page 3.
- 8 Page 4, delete lines 1 through 17.
- 9 Page 4, line 18, delete "SECTION 6. IC 13-26.5" and insert
- 10 "SECTION 2. IC 36-11".
- 11 Page 4, line 21, delete "26.5. REGIONAL" and insert "**11.**
- 12 **COUNTY**".
- 13 Page 4, line 26, delete "regional" and insert "**county**".
- 14 Page 4, delete lines 28 through 29, begin a new paragraph and
- 15 insert:
- 16 "**Sec. 3. "Governing body" means the county executive of the**
- 17 **county in which the district is located or proposed to be located.**".
- 18 Page 4, line 30, delete "system." and insert "**system as defined in**
- 19 **IC 13-11-2-201.**".
- 20 Page 4, line 31, delete "Regional".
- 21 Page 4, line 32, delete "regional onsite waste management".

- 1 Page 5, line 8, delete "Recommending" and insert "**Establishing**".
- 2 Page 5, line 8, delete "to be imposed under this".
- 3 Page 5, delete line 9.
- 4 Page 5, line 10, delete "district is located".
- 5 Page 5, line 28, after "Establishment" insert "**or Dissolution**".
- 6 Page 5, line 28, delete "Regional".
- 7 Page 5, line 29, delete "regional".
- 8 Page 5, line 29, delete "whose".
- 9 Page 5, line 30, delete "proposed territory is all or part of the area
- 10 of one (1) county".
- 11 Page 5, line 31, delete "executive of the county." and insert
- 12 "**governing body.**".
- 13 Page 5, delete lines 32 through 35, begin a new paragraph and
- 14 insert:
- 15 "**(b) The dissolution of a district may be initiated only by the**
- 16 **governing body.**".
- 17 Page 5, line 36, after "establish" insert "**or dissolve**".
- 18 Page 5, line 38, delete "district;" and insert "**district or the district**
- 19 **proposed for dissolution;**".
- 20 Page 6, between lines 18 and 19, begin a new paragraph and insert:
- 21 "**Sec. 3. A notice of intent to dissolve a district under this**
- 22 **chapter must state the reasons why the district is not needed.**".
- 23 Page 6, line 19, delete "Sec. 3." and insert "**Sec. 4.**".
- 24 Page 6, line 23, delete "Sec. 4. The" and insert "**Sec. 5. (a) Except**
- 25 **as provided in subsection (b), the**".
- 26 Page 6, line 24, delete "area in".
- 27 Page 6, line 24, delete "municipality that has, by ordinance or" and
- 28 insert "**municipality.**
- 29 **(b) The description of the area to be included in a district may**
- 30 **include area located within a municipality if the municipal**
- 31 **legislative body has adopted an ordinance or resolution designating**
- 32 **that area to be included in the district.**
- 33 **(c) The governing body shall:**
- 34 **(1) identify any area located within a municipality in the**
- 35 **county that the governing body believes should be part of the**
- 36 **area of the district; and**
- 37 **(2) request that the municipality adopt an ordinance or**
- 38 **resolution under subsection (b) to include the area identified**
- 39 **under subdivision (1) in the district.**
- 40 **(d) A municipal legislative body that has previously adopted an**
- 41 **ordinance or resolution under subsection (b) may adopt an**
- 42 **ordinance or resolution to exclude from the district all or part of**

- 1 **the area previously designated for inclusion in the district."**
- 2 Page 6, delete lines 25 through 26.
- 3 Page 6, line 27, delete "Sec. 5." and insert **"Sec. 6."**
- 4 Page 6, line 27, after "establish" insert **"or dissolve"**.
- 5 Page 6, line 28, delete "county executive" and insert **"governing**
- 6 **body"**.
- 7 Page 6, line 29, after "over" insert **"public"**.
- 8 Page 6, line 29, after "establishment" insert **"or dissolution"**.
- 9 Page 6, line 37, delete "Sec. 6." and insert **"Sec. 7."**
- 10 Page 7, line 5, delete "Sec. 7." and insert **"Sec. 8."**
- 11 Page 7, line 6, after "the" insert **"proposed"**.
- 12 Page 7, line 6, after "establishment" insert **"or dissolution"**.
- 13 Page 7, line 8, after "to the" insert **"proposed"**.
- 14 Page 7, line 8, after "establishment" insert **"or dissolution"**.
- 15 Page 7, line 10, delete "Sec. 8." and insert **"Sec. 9."**
- 16 Page 7, line 10, after "on the" insert **"proposed"**.
- 17 Page 7, line 10, after "establishment" insert **"or dissolution"**.
- 18 Page 7, line 11, delete "proposed".
- 19 Page 7, line 13, delete "the establishment of the district should be:"
- 20 and insert **":"**.
- 21 Page 7, delete lines 14 through 16, begin a new line block indented
- 22 and insert:
- 23 **"(1) the establishment of the district should be:**
- 24 **(A) approved;**
- 25 **(B) approved with modifications; or**
- 26 **(C) denied; or**
- 27 **(2) the dissolution of the district should be:**
- 28 **(A) approved; or**
- 29 **(B) denied."**
- 30 Page 7, between lines 24 and 25, begin a new paragraph and insert:
- 31 **"(c) The hearing officer shall consider, at a minimum, whether**
- 32 **the district is needed in making findings and recommendations**
- 33 **concerning the proposed dissolution of a district."**
- 34 Page 7, line 25, delete "Sec. 9. (a)" and insert **"Sec. 10."**
- 35 Page 7, line 25, delete "if:" and insert **"if the governing body**
- 36 **determines that the findings of the hearing officer show that:**
- 37 **(1) the proposed district appears capable of accomplishing the**
- 38 **purpose or purposes of the district in an economically feasible**
- 39 **manner, a district may be established; or**
- 40 **(2) there is no need for the district, the district may be**
- 41 **dissolved;**
- 42 **by adoption of an ordinance by the governing body."**

- 1 Page 7, delete lines 26 through 39.
- 2 Page 7, line 40, delete "Sec. 10." and insert "**Sec. 11.**".
- 3 Page 7, line 41, delete "section 9" and insert "**section 10**".
- 4 Page 8, line 4, delete "Sec. 11." and insert "**Sec. 12.**".
- 5 Page 8, line 6, delete "Sec. 12." and insert "**Sec. 13.**".
- 6 Page 8, line 6, delete "section 9" and insert "**section 10**".
- 7 Page 8, line 6, after "chapter" insert "**to establish a district**".
- 8 Page 8, line 18, delete "Regional".
- 9 Page 8, delete lines 19 through 23.
- 10 Page 8, line 24, delete "Sec. 2. (a)" and insert "**Sec. 1.**".
- 11 Page 8, line 24, delete "with area in one (1)".
- 12 Page 8, line 25, delete "county".
- 13 Page 8, delete lines 26 through 28.
- 14 Page 8, line 29, delete "Regional".
- 15 Page 8, line 40, delete "county executives of each" and insert
- 16 "**governing body,**".
- 17 Page 8, line 41, delete "county in which the district is located,".
- 18 Page 9, delete lines 11 through 20.
- 19 Page 9, line 21, delete "(7)" and insert "**(6)**".
- 20 Page 9, line 23, delete "(8)" and insert "**(7)**".
- 21 Page 10, line 9, delete "counties" and insert "**county**".
- 22 Page 10, line 12, delete "counties" and insert "**county**".
- 23 Page 10, line 16, delete ", or revenue of the counties for a multiple".
- 24 Page 10, line 17, delete "county district,".
- 25 Page 10, line 27, after "determine" insert "**and impose**".
- 26 Page 10, line 28, delete ", to be imposed by the county executive of
- 27 each county".
- 28 Page 10, line 29, delete "in which the district is located,".
- 29 Page 11, line 4, delete "county executive of each county in which
- 30 the district".
- 31 Page 11, delete line 5.
- 32 Page 11, line 6, before "governing" delete "the".
- 33 Page 11, line 6, delete ". The county executive".
- 34 Page 11, line 8, delete "systems in the part of the district located in
- 35 the" and insert "**systems; and**".
- 36 Page 11, delete line 9.
- 37 Page 11, line 17, delete "each of".
- 38 Page 11, line 17, after "the" insert "**county.**".
- 39 Page 11, line 18, delete "counties in which the district is located".
(Reference is to SB 99 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Gard, Chairperson